

REMARKS

Claims 1-2, 4-8 and 10-18 are pending in the present application.

Claims 3 and 9 are canceled. Claim 9 is canceled with this Amendment.

Claims 1, 5 and 11 are amended to more particularly point out and clearly define the invention.

Claims 16-18 are new.

Independent claim 1 is amended to recite the amount of power used to induce a color or shade change in the imaging composition. Support in the specification is at page 34, lines 7-8.

Claim 5 is amended to recite that the imaging composition is applied to a film with an adhesive backing, and that the imaging composition changes color when powers of 5 mW or less are applied to it. Support in the specification is at page 32, lines 15-17 and page 34, lines 7-8.

Claim 11 is amended to recite the power and wave length at which induces the color or shade change. Support in the specification is at page 24, lines 11-12 and at page 34, line 7-8.

Support in the specification for new claims 16-18 is at page 24, lines 11-13 and at page 32, lines 22-31.

Claims 1, 2 and 4 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,112,721 to Kuchta and further in view of U.S. 2002/0064728 A1 to Weed et al. Applicants respectfully traverse this rejection.

Telfer et al. alone, or in combination with Kuchta and Weed et al. do not teach or suggest the method of present claims 1, 2 and 4. The applied documents do not teach or suggest all the limitations of the claims. *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Telfer et al. do not at least teach or suggest projecting a 3-D image onto an imaging composition at 5 mW or less to affect a color or shade change in the imaging composition to form an image. Telfer et al. do not apply a 3-D image to any composition. Telfer et al. form a plurality of two-dimensional images on the imaging material (col. 5, lines 24-36). The three-dimensional image is formed behind the imaging medium (col. 3, lines 42-44, col. 4, lines 58-67, col. 5, lines 52-63 and col. 22, lines 41-62), it is not projected on the imaging medium as in the presently claimed invention.

Telfer et al. also do not teach or suggest that 5 mW would have induced a color or shade change in their imaging composition. Telfer et al. are silent about the amount of power which

induces a color change. Telfer et al. are specifically directed to formulations which are sensitive to infra-red light (col. 10, lines 51-54 and col. 11, lines 1-6), not visible light as the presently claimed invention (specification, page 24, lines 7-8). Further, Telfer et al. disclose that his color forming compositions are essentially insensitive to visible light (col. 11, line 66 to col. 12, line 6). In contrast to the presently claimed invention, Telfer et al. do not desire formulations which are sensitive to visible light. Telfer et al. teach away from compositions which are sensitive to visible light.

Kuchta and Weed et al. do not make up for the deficiencies of Telfer et al. Kuchta is not properly combinable with Telfer et al. Kuchta discloses compositions which absorb light in the visible region of the spectrum (col. 1, lines 9-10), not the infrared as disclosed in Telfer et al. Kuchta teaches away from Telfer et al. Accordingly, the person of skill in the art would have had no reason or motivation to combine Kuchta with Telfer et al. for the purposes of including Kuchta's photosensitizers in Telfer et al.'s compositions.

Weed et al. also are improperly combinable with Telfer et al. for the same reasons as Kuchta. Telfer et al. are directed to formulations which are sensitive in the infra-red region, not the visible region.

Claims 2 and 4 depend from claim 1 and are patentable over the applied documents for the same reasons as claim 1.

Applicants respectfully request withdrawal of the rejection of claims 1, 2 and 4 under 35 U.S.C. §103(a) over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,112,721 to Kuchta and further in view of U.S. 2002/0064728 A1 to Weed et al.

Claims 11, 12 and 15 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,563,023 to Kangas et al. Applicants respectfully traverse this rejection.

Telfer et al. alone, or in combination with Kangas et al. do not at least teach or suggest projecting a 3-D image onto an imaging composition at 5 mW and at wavelengths of above 300 nm to less than 600 nm to affect a color or shade change in the imaging composition to form an image. See *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). As discussed above, Telfer et al. form a two-dimensional image on a composition (col. 5, lines 24-36), they do not teach or suggest applying a three-dimensional image on a composition as recited in present claim 11.

Telfer et al. form a three-dimensional image away from the imaging composition, not on it (col. 3, lines 41-44, col. 4, lines 58-67, col. 5, lines 52-63 and col. 22, lines 41-62).

Telfer et al. also teach away from compositions which are sensitive to visible light (col. 11, line 66 to col. 12, line 6). Telfer et al. disclose formulations which are sensitive in the infra-red spectrum such as 700 to 1200 nm and preferably from 800 to 1200 nm, not above 300 nm to less than 600 nm as recited in present claim 11.

Kangas et al. do not make up for the deficiencies of Telfer et al. Kangas et al. and Telfer et al. are not properly combinable. Kangas et al. disclose placing photosensitive compounds and adhesives on metal substrates (col. 2, lines 26-44). In contrast Telfer et al. disclose applying photosensitive material on polymeric material (col. 14, lines 22-24), not metal. Metal and polymeric materials are distinct. An adhesive material which may be suitable for metal does not necessarily mean it will be suitable for polymers.

Claims 12 and 15 depend from claim 11. Accordingly, claims 12 and 15 are patentable over the applied documents for the same reasons as claim 11.

Applicants respectfully request withdrawal of the rejection of claims 11, 12 and 15 under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,563,023 to Kangas et al.

Claims 11, 13 and 14 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,563,023 to Kangas et al. and further in view of U.S. 2002/0064728 A1 to Weed et al. Applicants respectfully traverse this rejection.

Telfer et al. alone, or in combination with Kangas et al. and further in view of Weed et al. do not teach or suggest the claimed subject matter of claim 11. See *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). As discussed above, Telfer et al. do not apply a 3-D image to an imaging composition. The three-dimensional image formed by Telfer et al. is projected from the imaging composition and the lenticular screen to a position beyond the imaging composition (col. 3, lines 41-44 and col. 4, lines 58-67), not on the imaging composition as recited in claim 11. Further, the imaging compositions of Telfer et al. are directed to infra-red sensitive compositions (col. 11, line 66 to col. 12, line 6), not compositions which change color at 5 mW, which is in the visible range. Telfer et al. specifically teach that the non-imaging radiation is

visible radiation (col. 12, lines 25-28). In contrast, the presently claimed invention use visible radiation as the imaging radiation.

Kangas et al. and Weed et al. do not make up for the deficiencies of Telfer et al. As discussed above, Kangas et al. are directed to applying photosensitive compounds and adhesives on metal substrates, not polymer materials as Telfer et al.

Weed et al. are not properly combinable with Telfer et al. Weed et al. disclose visible light sensitive formulations which are not desirable in the formulations of Telfer et al. Telfer et al. teach away from Weed et al.

Claims 13 and 14 depend from claim 11. Accordingly, they are patentable over the applied documents for the same reasons as claim 11.

Applicants respectfully request withdrawal of the rejection of claims 11, 13 and 14 under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 5,681,676 to Telfer et al. in view of U.S. 5,563,023 to Kangas et al. and further in view of U.S. 2002/0064728 A1 to Weed et al.

Claims 5-10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. 6,547,397 to Kaufman et al. in view of U.S. 5,681,676 to Telfer et al. and in further view of U.S. 5,112,721 to Kuchta and U.S. 2002/0064728 A1 to Weed et al. Applicants respectfully traverse this rejection.

Claim 9 is canceled. Accordingly, the rejection with respect to claim 9 is moot.

For the reasons discussed above, Telfer et al. do not teach or suggest the Applicants' method of applying a 3-D image on an imaging composition at 5 mW or less. See *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Further, Telfer et al. disclose forming a three-dimensional image away from the imaging composition as opposed to applying a three-dimensional image. Kaufman et al. disclose applying a three-dimensional image to a substrate but does not provide any reason or motivation to apply and imaging composition to the substrate. Each document teaches the opposite of the other. Moreover, Telfer et al. do not teach or suggest imaging compositions which would have been sensitive to visible light. They teach compositions which are sensitive to infra-red light.

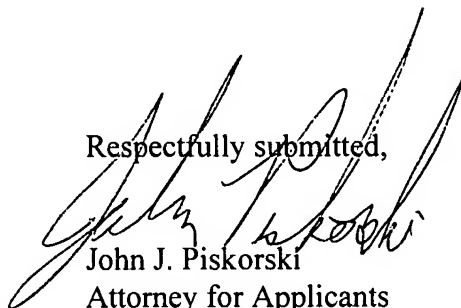
Kuchta and Weed et al. do not make up for the deficiencies of Kaufman et al. and Telfer et al. Each is not properly combinable with Telfer et al. for the same reasons as discussed above. Accordingly, present claims 5-8 and 10 are patentable over the applied documents.

Applicants respectfully request withdrawal of the rejection of claims 5-8 and 10 under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. 6,547,397 to Kaufman et al. in view of U.S. 5,681,676 to Telfer et al. and further in view of U.S. 5,112,721 to Kuchta and U.S. 2002/0064728 to Weed et al.

Favorable consideration and allowance of claims 1, 2, 4-8, and 10-18 are earnestly solicited.

Should the Examiner have any questions concerning this response or this application, or should she believe this application is for any reason not yet in condition for allowance, she is respectfully requested to telephone the undersigned at the number set forth below in order to expedite allowance of this application.

Respectfully submitted,



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